

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

Patricia Vowal,)	
)	
Plaintiff,)	
)	
v.)	No. 2:24-cv-105-TLS-APR
)	
Oscar Martinez Jr (Sheriff), Williman Mescall,)	
Willeman Forgey, Jacob Huseman,)	
)	
Defendants.)	

ANSWER, AFFIRMATIVE DEFENSES, AND DEMAND FOR JURY

The defendant, William Forgey, M.D., (incorrectly identified as Willeman Forgey) by counsel, Eichhorn & Eichhorn, LLP, submits the following as his Answer and Affirmative Defenses in response to the Plaintiff's Complaint in the above captioned case.

1. Dr. Forgey admits that venue and jurisdiction are proper in this Court.
2. Dr. Forgey admits that Ms. Vowal was employed by the Lake County Jail, Lake County, and/or the Lake County Sheriff but is without sufficient information to admit or deny the capacity in which she was employed, whether as an employee or independent contractor.
3. Dr. Forgey denies generally the remaining allegations against him and further denies that Ms. Vowal is entitled to any relief on her claim against him.
4. Any allegations in the Complaint which are not specifically admitted are hereby denied.

AFFIRMATIVE DEFENSES

1. Plaintiff's claim against Dr. Forgey should be dismissed for failure to exhaust administrative remedies as required by 42 U.S.C. §2000e-5 before filing suit against him in federal court.

2. Plaintiff has failed to state a claim against Dr. Forgey for which relief can be granted.

3. Plaintiff's claim against Dr. Forgey is barred by the statute of limitations.

4. In the event that plaintiff's complaint filed in the Northern District of Illinois styled *Vowal v. Martinez et al.*, Case No. 24-cv-2186 is not dismissed, this Court should exercise its inherent power to dismiss this case.¹

5. Defendant reserves the right to raise additional defenses or amend his Answer as justice may require.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. Pro. 38(b), Dr. Forgey requests a trial by jury on all issues so triable.

WHEREFORE, Defendant, by counsel, prays that Plaintiff take nothing by way of her Complaint, that judgment be entered in Defendant's favor, and that this honorable Court grant Defendant any and all other just and proper relief, including without limitation an award of fees and costs.

Respectfully submitted,

EICHHORN & EICHHORN, LLP

By: /s/ David J. Beach
David J. Beach, #18531-45
Ryan A. Cook, #26798-49
Attorneys for Defendant, William Forgey,
M.D.

¹ Dr. Forgey has filed a motion to dismiss Ms. Vowal's Illinois complaint for lack of personal jurisdiction and improper venue.

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CERTIFICATE OF SERVICE

I, David J. Beach, certify that on May 17, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I also certify that on May 17, 2024, the foregoing was mailed, by United States Postal Service, first-class postage prepaid, to the following non CM/ECF participant(s):

Patricia Vowal
10611 South Lowe Avenue
Chicago, IL 60628

/s/ David J. Beach
David J. Beach